

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5955 of 1996

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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SUNIL V DUBEY

Versus

DISTRICT POLICE OFFICER

Appearance:

MS SUDHA R GANGWAR for Petitioner

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 09/09/96

ORAL JUDGEMENT

Heard learned advocate Ms.Sudha Gangwar, for the petitioner.

2. Leave to add order of appointment of the petitioner.

3. Under order dated 1-8-1992, the petitioner was appointed as Unarmed Police constable on probation for three years on terms and conditions contained in the said order of appointment. Clause 5 of the said terms stipulates that the petitioner's appointment was on probation and in case, his services are found to be unsatisfactory during the period of probation, he would be liable to be discharged from service without any notice. Clause 6 of the said terms stipulates that the period of probation shall be of three years and if necessary, the same would be extended.

4 By the order dated 18th July, 1995, the petitioner's probation has been terminated and he is discharged from service on the ground of unsuitability. It is this order of discharge of service which is the subject matter of

challenge in this petition. Learned advocate Ms.Sudha Gangwar submits that the impugned order is made without giving an opportunity to the petitioner, and that the same has been made before the completion of period of probation. I do not find any substance in either of the contentions raised by Ms.Gangwar. The order of discharge has been made in consonance with the terms of the order of appointment. Besides no stigma is attached to the petitioner. The petition is therefore, summarily rejected.

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